

LIBERTY
AND
COMMON-SENSE
TO THE
PEOPLE
OF
IRELAND,
GREETING.



DUBLIN Printed; LONDON Reprinted
For J. WILLIAMS, under St. Dunstan's
Church, Fleet-Street, 1760.
(Price One Shilling.)

LIBERTY

AND

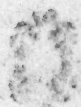
COMMON-SENSE

PEOPLE

IRELAND



GERALD



DUBLIN PRINTED, LONDON REPRINTED

For J. WILKINS, under St. Dunstan's

Church, Fleet-Street, 1760.

(Price One Shilling.)



LIBERTY

AND

COMMON-SENSE

TO THE
PEOPLE of IRELAND, Greeting.

Countrymen and Fellow Subjects,

THERE are two CORNER-STONES on which the Liberties of *England* and *Ireland* have rested for many Ages. And these Corner-Stones or Fundamentals are of such a Nature as may not be found in any other State, and
B are

are a thousand times richer than entire Diamonds.

The First of these great Fundamentals is our TRIAL BY JURIES. The Second of Them is our REPRESENTATION BY PARLIAMENT.

To describe all the Advantages that Subjects derive from these INCOMPARABLE PRIVILEGES would fill two large Books, but we shall touch only such Articles as are to your present Purpose.

With respect to TRIAL BY JURIES, every Subject of *Great-Britain* and *Ireland* hath a Right to demand the Judgment of his Neighbours in whatever affects his Person and Property. That is to say, He hath a Right, in civil Causes and in criminal Accusations, to require a Trial by twelve Men of his neighbouring Peers or Equals. And if, on the impannelling

pannelling of this Jury, he hath just Cause of Exception to any of the Twelve, such Persons are to be laid aside and their Places supplied by Others, whom he thinks more impartial. So that a Man, by this Means, is, in a great Measure, the Chuser of his own Judges.

Twelve Men, at the least, are required to make a Jury, in order to raise so many Walls, as it were, about Justice, through which Iniquity cannot enter, but by the Corruption of the whole Number. And our Laws expressly require that, in all doubtful Cases, Decision is to be given on the Side of Mercy.

From the Beginning of the World, no other Nation can boast the Blessedness of an Institution like This.

Here are no Inquisitions, Bastiles; no Torturers, Racks, or Impalements. None

of the arbitrary, insolent, and mercenary Tribunals that are established throughout the rest of the World.

Here, Justice and Mercy go Hand in Hand together, and if a Man must suffer, He suffers by the Laws of Love and the Decree of a Country.

The second great FUNDAMENTAL of the peculiar Liberties and Privileges of the People of *Great-Britain* and *Ireland* is the Right, which they have of speaking and acting by REPRESENTATION IN PARLIAMENT.

This, indeed, is the chief of human Claims. It supposeth Us born to all the Freedom and Rights that Nature first gave to Man, when made Lord of the Creation, And, as all Men are not equally strong and wise, nor any Man sufficiently so for the Preservation of his own Person, Properties,

Properties, and Privileges: It supposes Us to lodge a Part of our natural Rights with superior Wisdom and Power for their better Maintenance and Enlargement; as a Man deposits Money in a national Fund, for the greater Assurance both of Principal and Interest.

Wherefore, when we elect Persons to represent Us in Parliament, we must not be supposed to depart from the smallest Right which we have deposited with them. We make a Lodgment, not a Gift, We entrust, but part with Nothing. And, were it possible that They should attempt to destroy that Constitution which We had appointed them to maintain, They can no more be held in the Rank of Representatives, than a Factor, turned Pirate, can continue to be called the Factor of those Merchants whose Goods he had plundered and whose Confidence he had betrayed.

The Men whom we thus depute to Parliament, are not the bare Likeness or Reflection of Us their Constituents, They actually contain our Powers and Privileges, and are, as it were, the very Persons of the People they represent. We are the Parliament in Them, We speak and act by them. We have a Right to know what they are saying and doing. And, should They contradict our Sense, or swerve from our Interests, We have a Right to remonstrate, inform and direct Them. By which Means we become the Regulators of our own Conduct, and the Institutors of our own Laws, and Nothing material can be done but by our Authority and Consent.

For the further and better Assurance of these great Privileges. Should we happen, at the Time of Election, to mistake Bad Men, for Good Men, or should the Good Men whom we chuse
turn

turn afterward into Bad Men, a Misfortune which we are told is not altogether impossible; it is a comfortable Consideration that they are not quite immortal, either in Part or in Whole. For, though the Parliament of *Constituents* subsists for ever, yet the Parliament of *Representatives* must come to a Dissolution at certain Periods. And, then, our New Elect may reform, in one Season, all the Mischiefs and Errors that might have happened in Twenty.

Suppose a Stranger, just landed, who had travelled far, and known much of the Laws and Customs of other Countries. He meets a poor Freeholder of about Forty Shillings a Year, and asks him the following Questions.

Strang. Pray, Friend, who governs in this Country?

Freebold. The Laws.

Strang.

Strang. That may be. But who Judges
of those Laws?

Freehold. The People.

Strang. You are one, I suppose, of
this extraordinary People.

Freehold. Yes.

Strang. Suppose you were personally
accused of Crimes, or that your Property
was in Question, are you Judge in your
own Cause?

Freehold. No.

Strang. Who then?

Freehold. Twelve of my Neighbours
and Equals.

Strang. Suppose you have Reason to
think that some of those Equals would
not do you Justice.

Freehold. I lay them aside, and their
Places are filled by others.

Strang.

Strang. I then pronounce you happy.
But, pray, who makes the Laws?

Freehold. The People, again, Sir.

Strang. Ye are, certainly, too numerous to avoid Confusion, and not, All of Ye, wise enough for such a Business.

Freehold. In that Case, we chuse to speak, and act, by Men whom we think wiser and better than Ourselves, but still They are to Act under our Direction and the general Sense that we have of our own Interests; and little as I stand here, no Tax can be raised, nor any Law enacted in this Kingdom, without my Authority and Consent, I assure you.

Strang. I formerly pronounced you happy, I now pronounce you free, and the greatest Man, by far, that I have met in my Travels.

COUNTRYMEN and FELLOW-SUBJECTS

Be pleased to open your Eyes, and, then, Ye cannot but discern those Privileges of the People of *Ireland* may, more properly, be called Prerogatives, as They are equal to Those of any Crowned-Head. There are few Nations upon Earth who might not, advantageously, exchange all their Possessions for half of the Constitutional Benefits which we enjoy. But Custom and Use take off the Sense of these Blessings. And we no more regard Them than the Light of the Sun, by which we are daily warmed and cheared, and fed with the Products and delights of all the Seasons.

Such extraordinary Advantages, derived to a whole People and their Posterity for ever, cannot be too much valued, too nearly watched, or too surely guarded. And We should be equally cautious
of

of encroaching on Them, Ourselves, a
of suffering Them to be encroached upon
by any others.

The Liberty of our Representatives,
as told Ye already, is the Liberty of
Ourselves. They ought not to be fright-
ened, by any Power whatever, from
Speaking or Acting with that Freedom
and unreserve, without which, They can
no longer be a free Parliament, nor We
of Consequence a free People.

If we cannot be satisfied with the
Rights which we have of instructing and
directing Them, and of chusing better in
due Time. If we threaten or compel
them to act as we dictate, They may,
properly be called Speaking-Trumpets,
but they cease, from that Moment, to be
a Parliament.

What then shall we do, Friends, if
they disoblige or contradict Us? shall we

abolish our Parliament, the Corner-Stone of our Constitution? GOD FORBID.

But, may we not chuse a Populace or Number of Persons who shall be unanimous, and wiser, and better than our Parliament, and who shall order the Members from the Galleries and so forth, to act and enact in such and such a Manner? This Project too we fear, may have its Difficulties; for Who, on this Occasion, shall instruct the Instructors.

We have, then, Nothing left, but to take back to ourselves the Trusts we have given, and to make one universal PARLIAMENT of CONSTITUENTS. But This too, upon second Thoughts, is likely to be attended with some small Inconvenience. For, where shall we be All of one Mind, and who shall plow, and sow, and weave, and labour, and provide for Us, while we are All employed in making Laws for the Nation?

COUN-

COUNTRYMEN and FELLOW-SUBJECTS.

We two Personages called LIBERTY and COMMON-SENSE, have a Right to address you, and to be heard and regarded by you, as we have been, for some Ages, your best Friends and truest Patriots. No Times nor Changes, neither the Influence of Courts, nor the Factions of Country, have prevailed upon Us to vary from the Principles and Conduct, which we have held and advised from the very Beginning. All Parties, in their Turns, have come over to our Side, but We were of any Party or Faction. Still *constant* but *reasonable*, ever *strong* but not *furious*, We have a Title to be listened to, even where we cannot persuade.

We therefore take the Freedom of expostulating a little, on the Consequence of your Proceedings in the chief City of this Kingdom.

Public

Public Clamours through all our Streets. Whisperings, Cabals, Murmurs, in every Coffee-House and Place of Resort. The Parliament House daily surrounded and throng'd with Rioters. Many of our Representatives stopp'd and insulted by the Rabble. The Coaches of the ——— and the ——— opposed and detained. Letters publickly printed and directed to the Lords and Commons, with exprefs Threats of *Graves* and broad Hints of Assassinations. And, lastly, those Threats nearly put into Execution, by dashing Chairs and Coaches to Pieces, pulling the Members out by Violence, striking, wounding, and casting some into the Kennel, and compelling Others to swear Allegiance, before a Mob-Magistracy, to a Mob-Administration. These Things, Countrymen, are such as have not happened, at the Times of

of greatest Turbulence, within the Annals of *Ireland*.

We have, however, the Charity to believe, in your Favour, that Matters could not have come to this Extremity without some extraordinary Cause. We have, accordingly, made all diligent Enquiry, and, on, the best Information that we can get from yourselves and others, we find Two CAUSES assign'd for your present Commotions.

The FIRST is, that a Bill was propos'd to be brought, this Session for effecting a UNION between the two Kingdoms, whereby Parliaments, from that Moment would for ever cease to be held in *Ireland*.

The SECOND is, that a Motion was actually made in the H—— of C——

or

for an Act, whereby the K——s of
 G——t B——n and their M——
 should for ever after be empowered to
 call a P—— when they pleased, and
 to prorogue it, as long as they pleased,
 and to make it as Little as they pleased,
 and so to annihilate it if they pleased.
 And it is still affirmed, and believed, by
 Many, that a Bill to the said Purpose,
 hath actually passed the H——e, and
 hath been transmitted to *England* for the
 R——l Assent.

These Reports were, indeed, alarm-
 ing in the highest Degree. This would
 have been to strike at the very Root of
 our Constitution. French Invasions would
 be Nothing to This. For, it were better
 to see the Loss of all our Properties, and
 the Massacre of half our People, than that
 Ruin should be brought on our Children
 and

and the Children of our Children to the latest Generation.

No Countrymen. Forbid it GOD and MAN, that This should be ever effected. That it should ever be designed!

We the Personages called LIBERTY and COMMON-SENSE, though we have not joined in your late Riots and Excesses, are yet determined not to survive the Day that shall ever bring the Evils Ye apprehended to pass. We have carefully enquired into the Occasion of those Apprehensions. We think we have got true and full Intelligence. We will plainly and honestly declare all we know. And if any One can convict Us of Error or Misinformation; let Him speak out, in the Name of Truth, and We will

D

pub-

publicly and thankfully submit to his better Knowledge.

We must, however, promise that, if the Causes of your Apprehensions were groundless, or, even, doubtful, Ye have proceeded in this Matter to a very dangerous Excess; an Excess which was like to have been attended with the most fatal Consequences.

We have shown Ye, already, that any Constraint, though proceeding from Us the Constituents, would instantly be destructive of Parliamentary Liberty, and therefore destructive of Parliament itself.

But this is not all, nor, even, the worst that is to be feared. A Constraint on the Part of the Country, will give a Pretence for equal Constraint on the Part of the C——t. Our Members, themselves,

selves, when terrified by a Populace, may be apt to call out for military Protection; and, then, adieu to the Liberties both of Parliament and People. A Precedent for calling a Power to protect, may be followed by a Call of the same Power to intimidate. Witness *Athens* in the Days of *Philip* of *Macedon*, witness *Rome* in the Dictatorship of *Julius Caesar*, witness *England* in the Protectorship of *Oliver Cromwell*, witness every Age and Nation that possessed and lost their Liberties, the Consequence of calling Soldiers to Senate or Parliament.

Lastly. To You we speak it, Ye Aldermen, Common-Council, Corporations, Merchants, Craftsmen, and Householders, of the City of *Dublin*! Know, hereafter, that it is your peculiar Interest, Concern, and Duty, first as a Civil Power, and secondly as Citizens, to protect our Parliament from any kind of Insult or Intrusi-

on. Reflect that it is his M^{ajesty's} especial Prerogative to call or prorogue the Parliament to any Town within this Kingdom that He pleases to appoint. And do not forget that *Poyning's Law* was enacted at *Drogheda*,

Do Ye not tremble now, Countrymen, at the Precipice to which Ye brought Us? What Ye were doing would have been Sport to any wicked Administration. *Ireland* hath not an Enemy who would not have joined and rejoiced at your Proceedings. In short, Ye were within a Point of bringing upon all our Heads the Ruins of that very Building which Ye ran to support, and of perpetrating every Evil which Ye intended to oppose.

But no more of this we beseech Ye. If the Day must come, wherein our incomparable Constitution shall cease to exist,

exist, do not You be the Persons whom
your Posterity shall have to accuse for
the Desolation of *IRELAND*.

It is now evident to ye All, that
whether your Apprehensions were well
or ill-founded, the Measures which ye
took were improper, ineffectual, and
even destructive of the End ye proposed.
Ye should at least, have weighed your
Power before ye made your Attempt,
since the slightest Reflection would have
taught Ye that a great Power was at
hand, the calling in of which might at
once have proved fatal to you and your
Country.

LET US now examine the Foundati-
on which Ye had for your Fears.

And first, with respect to a **UNION**
between *England* and *Ireland*, We can
aver with perfect Assurance, that such a
Thing

Thing was never intended by any Persons of Weight or Wisdom in either Kingdom.

When a Marriage is proposed between Nations, Princes, or Potentates, the Advance is always made from the Stronger to the Weaker, from the Greater to the Less; for, otherwise, Contempt and Refusal might evidently ensue. But when did *England* address *Ireland* on this Subject? I task any Man living to shew Us the Time wherein the UNION, so dreaded, was ever a Matter of Contemplation, or Debate, in the Council or Parliament of *Great-Britain*.

If a UNION had been proposed and actually brought into Agitation between *England* and *Ireland*, We, the Personages called LIBERTY and COMMON SENSE, would have been the First to have admonished Ye, and peremptorily

to

to have forbidden the Bands between two Parties, where One must always be bound in Consequence of its Weakness, and the other always free in Consequence of its Power, to enlarge, infringe, alter, lessen, or wholly abolish the Conditions at Pleasure.

But, Countrymen, we are well saved from any Trouble on this Head.

E——d has already experienced the Consequences of such a *U——n*. What hath been might be again. And the additional Weight of an *I——sh P——t* thrown into the *M——ft——l* Scale would be such as all the Patriotism in *Britain* would never be able to balance.

The present Minister of *Great-Britain*, whom We, with Pride acknowledge the best Friend and greatest Intimate that we

have

have upon Earth, desires no such Accession to the Power, in the Hands of a Minister, is Goodness, is Glory! He is Master of All that a free People can bestow. And He can never wish to enlarge it in the Hands of Successors who might lessen its Use and pervert its Purpose.

From the Throne to the Peasant, through all Degrees of People, the Proposal of an Union with *Ireland*, would be universally detested by every *Briton* born. It is what our Prayers and Prostrations would never be able to obtain. And *Ireland*, on the other Hand, does not seem greatly inclined to force *England* to a Compliance.

But, Countrymen, If we could suppose such an Absurdity as that *England* should solicit us to the very Thing she abhors; Who, think Ye, would be foremost and warmest

warmest in opposing her Desires? Is it Men of loose Manners, small Stakes, or no Fortunes? Such Persons are ever forward to promote Revolutions and Changes, whereby they can alone propose to be Gainers, and yet such Persons make, at least, Nine Tenths of all our People.

Whom have we, then, left to oppose this dreaded Union? Even the very Men whom Ye accused, as confederated, for bringing the Mischief upon Us. Men, who are unanimous, determined, and sufficient against It, and who will not, as Ye have suspected, give their Inheritance for Porridge.

Our Parliament, with their Friends, Relations, and Connections, possess the whole landed Interest of *Ireland*. And it is the landed Interest that would principally, or alone, suffer by the Union.

E

A

A Land-Tax of four Shillings, and, occasionally, of six or eight Shillings in the Pound, would be a fearful Deduction from Equipage and *French Claret*. And, a transitory Place or Pension, to a few Men, can never be thought an Equivalent for such an heavy Charge to themselves and their Posterities, and to the Persons and Posterities of all the estated Men in *Ireland*.

We know that many Rumours, of this same UNION, have been industriously raised and spread; and that seditious Letters, for the Purpose, have been framed, printed and published, and affirmed to have been dropped from the Pockets of M——rs. But, We challenge any Member, of either House of Parliament, to say that such a Matter was, at any Time, proposed to him by any Man, whatever, in Commission from *England*, or of Consideration in *Ireland*.

No,

No,—Countrymen,—for the forementioned Reasons, and many others too tedious now to recite, the dreaded UNION cannot possibly be brought to pass. The Parties neither are agreed, nor ever were agreed, nor ever will be agreed, on the *said Bands of Matrimony*, to the End of Time.

WE COME, now to the second Cause of our present Disturbance. And we will treat it as shortly as we think consistent with the Fullness of the Satisfaction that ought to be given.

The Motion, which hath so much alarmed Us, was, confessedly, made during the present Session of Parliament, and was, in the Letter, Sense and Occasion directly as followeth,

In the Year 1756, a Clause was added to the Militia Bill of *England* in the following,

following Words.—*And be it further enacted, that if at any Time in Case of actual Invasion, or upon any imminent Danger thereof, or in Case of Rebellion, the Parliament shall happen to be separated by such Adjournment or Prorogation as will not expire within fourteen Days, it shall be lawful for his Majesty, his Heirs and Successors, to issue a Proclamation for the Meeting of the Parliament upon such a Day as He or They shall thereby appoint, giving Fourteen Days Notice of such Appointment, and the Parliament shall accordingly meet upon such Day and continue to sit and act in like Manner to all Intents and Purposes, as if it had stood adjourned or prorogued to the same Day.*

The People of *England* are more jealous than all other People, of any distant Possibility that might affect their Liberties. Yet the above Clause passed without Opposition; it is deemed a Matter of great

great Utility ; We trust it will always be found so ; and it was recommended to be passed, for the same Purposes, in the *Irish Parliament*.

When a certain Person, duly commissioned for the like Occasions, came over. He shewed some Members the above Clause, and consulted them on the Step he was about to take, Whereupon They honestly and worthily answered, that they hoped the said Clause would never prove of any pernicious Consequence to *England*, But that they apprehended, the Words——*or upon any imminent Danger thereof*——were Words of great Latitude and not necessary for *Ireland*. He, accordingly erased them, and, within a few Days, made a Motion in the House for the following Heads of a Bill, &c.

We pray it may be enacted, that if at any Time, in Case of actual Invasion, or
in

in Case of Rebellion, the Parliament shall happen to be separated by such Adjournment or Prorogation as will not expire within fourteen Days, it shall be lawful for his Majesty his Heirs and Successors to issue a Proclamation for the Meeting of the Parliament upon such a Day as He or They shall thereby appoint, giving fourteen Days Notice of such Appointment, and the Parliament shall accordingly meet upon such a Day, and continue to sit and act in like Manner to all Intents and Purposes as if they had stood adjourned or prorogued to the same Day.

This Motion was then opposed by some Friends in the House, and thereupon a further Time was given to consider of Reasons either for or against the Bill. In the mean while, it was industriously infused into the Minds of the People that the above Clause was, intentionally, and in its Consequences, destructive of an
Irish

Irish Parliament. The Alarm brought a great Concourse to the House on the Day appointed for the Discussion. And the Gentleman, who had made the Motion, percieving it was disagreeable, immediately withdrew it, without putting the Question. And every Member of that Honourable House can satisfy and assure Ye, that neither the said Clause, nor any Thing relating thereto, hath ever since been introduced or mentioned in Parliament.

COUNTRYMEN and FELLOW-SUBJECTS.

We have here given Ye, faithfully, the said fearful Clause, Letter for Letter, as it was proposed to Parliament. We cannot supply Ye with the Reasons for which our Friends opposed it, as it never came 'specially into Debate. But, though We cannot, any Way, wrest the Sense to that fatal Import, with which It was said to be laden; We are greatly pleased

pleased that it did not pass. This Kingdom is poor and weak, and distant from the Throne, and hath not the Spirit of Ability of *Great-Britain*, to guard against the Misuse that a future Ministry might make of any new Powers granted to the Crown. And it behoveth Us, more especially to be jealous of any Novelty relating to Parliament, as it would touch so close on the Quick of our Constitution.

We are grieved, however, to hear of the Disgust and Resentment that hath been generally conceived against the Gentleman who made the said Motion. As he might have made it with an innocent, and even a worthy Intention.

But further — For it is far beneath Personages of our Freedom and Character, to suppress Truth, or be guilty of Injustice, in order to humour any Person or Party

Party whatever. We think it incumbent upon us to tell Ye a plain Story, as it was delivered to Us by Men, whose Testimony and Veracity, in all other Respects, are clear and unquestioned.

During the last Session of the Parliament in *England*, some Members expressed their Intention of adding to the first recited Clause, a further Clause whereby *Ireland* should be bound, in the full Latitude of the first Clause.

Then it was that the very Man, whom we behold as an Enemy, approved himself the best and truest Friend of *Ireland*. Greatly alarmed for our Liberties, He remonstrated to the said Members on the Injustice and Displeasure they were about to do Us, He requested that, if we were to be bound, we might at least be permitted to consent to the Obligation. And he prevailed upon them to drop the in-

F

tended

tended Motion, on his Promise to propose the said Clause in the *Irish* Parliament. He accordingly performed his Engagement. He moved for a like Clause, though not in Terms of equal Latitude. He perceived that even This was not agreeable; and he readily withdrew the Motion, without calling for the Question.

If this be true, Countrymen, as We are confident it will be found on the fullest Enquiry. Who, think Ye, is the best entitled to the Name of a Patriot? He, who, from Motives unknown, is at perpetual Warfare with Ministry, or He, who doeth known and eminent Service to a Country.

I ask Ye again, Countrymen, to whom are Ye most beholden, to Patriots who, within my Memory, silently suffered Ye to be bound by Laws, on which neither You nor your Parliament were once consulted

sulted, or the Man who generously stood up for your Liberties, and saved Ye, in a foreign Land, from being subjected, against your Consent, to those very Evils which Ye unwittingly say he endeavoured to bring upon Ye?

Adieu, Countrymen, We wish Ye well. We have spoken the downright Truth. If Any can tax Us with Falshood or Partiality let him accuse us openly.

Signed, Dec, 11th, 1759.

LIBERTY.

COMMON-SENSE.

justed, or the Man who generously stood
up for your Liberties, and that Ye, in a
foreign Land, from being distressed,
against your Consent to those very Evils
which Ye unwillingly say he encountered
to bring upon Ye?

Adieu, Countrymen, We wish Ye
well. We have spoken the downright
Truth. If any ~~of~~ ^{of} us with Fair-
hood or Partiality let him accuse us
openly.

Signed, Dec. 11th, 1759.

LIBERTY.

COMMON-SENSE.

